IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

BRIAN THOMAS GREEN, #1187771 §

VS. § CIVIL ACTION NO. 2:04cv388

TDCJ DIRECTOR §

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States

Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the

Magistrate Judge's Report, containing proposed findings of fact and recommendations for

disposition of this case. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is DISMISSED without prejudice; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 17th day of October, 2005.

T. JOHN WARD

UNITED STATES DISTRICT JUDGE